

## ORDINANCE NO. 1463

AN ORDINANCE ANNEXING PROPERTY, WHICH PROPERTY IS MORE PARTICULARLY DESCRIBED IN EXHIBIT "A" WHICH IS ATTACHED HERETO. SAID PROPERTY IS SITUATED IN A PART OF BLOCK 6 OF RECORDER'S AMENDED WESTSLOPE PLAT IN PAYETTE COUNTY, IDAHO, AND IS ADJACENT AND CONTIGUOUS TO THE CORPORATE CITY LIMITS; ESTABLISHING AND DETERMINING THE LAND USE CLASSIFICATION OF SAID LAND AS A-RESIDENTIAL; DESIGNATING THAT PROPERTY DESCRIBED IN EXHIBIT "A" AS A CATEGORY A ANNEXATION; MAKING CERTAIN FINDINGS IN THE OFFICIAL MINUTES OF THE CITY CLERK; PROVIDING THAT COPIES OF THIS ORDINANCE SHALL BE FILED WITH THE PAYETTE COUNTY ASSESSOR, THE PAYETTE COUNTY RECORDER, AND THE IDAHO STATE TAX COMMISSION; PROVIDING AN EFFECTIVE DATE; PROVIDING FOR PUBLICATION BY SUMMARY.

WHEREAS, the City of Payette annexes property pursuant to Idaho Code § 50-222; and,

WHEREAS, the City of Payette zones property pursuant to Idaho Code § 67-6525; and,

WHEREAS, the Payette City Council has provided for the annexation and zoning of that property described in Exhibit A and has adopted findings in support of the annexation and,

WHEREAS, the City of Payette has annexed under Category A of the Idaho Code because the landowner has consented to annexation and all lands to be annexed are contiguous or adjacent to the City and lie within the area of impact; and,

WHEREAS, the Payette Planning & Zoning Commission, pursuant to public notice, held a public hearing on July 15, 2019, and recommended to the Mayor and Council that the proposed annexation be approved and said lands be zoned A-Residential and,

WHEREAS, the Payette City Council, pursuant to public notice, held a public hearing, on July 29, 2019, on the

**Instrument # 422749**

STATE OF IDAHO, PAYETTE COUNTY  
 8-13-2019 04:10:26 PM No. of Pages: 7  
 Recorded for : CITY OF PAYETTE  
 BETTY J DRESSEN Fee: 0.00  
 Ex-Officio Recorder Deputy *Christine Poe*  
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proposed annexation and zoning for the property described in Section One below, as required by Idaho Code § 50-222 and Idaho Code § 67-6525.

**NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF PAYETTE, IDAHO:**

**Section 1.** Those lands and territory situated in Payette County, Idaho, adjacent and contiguous to the City of Payette, Idaho, more particularly described in "Exhibit A" which is attached hereto, are incorporated hereat as if set out in full verbatim, are annexed and incorporated into the territorial limits of the City of Payette, Idaho.

**Section 2.** From and after the effective date of this ordinance, all property included within the boundaries and territory described in Section 1 shall be subject to all the statutes pertaining to the City of Payette and all ordinances, resolutions, police regulations, taxation and other powers of the City of Payette. All persons and property within the territory so annexed shall be and are entitled to all benefits and rights as are the persons and property presently within the corporate limits of the City of Payette.

**Section 3.** The City Engineer of the City of Payette is hereby directed to lodge and file with the City Clerk of Payette within ten (10) days after passage and approval hereof, a map prepared in a draftsman like manner which shall plainly and clearly designate the boundaries of the lands and territory annexed, pursuant to the provisions of Section 1.

**Section 4.** The City Council having considered the written and oral comments of property owners whose land would be annexed and other affected persons, makes the following express findings:

(A) The land to be annexed meets the applicable requirements of a Category A annexation and does not fall within the exceptions or conditional exceptions contained in this section;

(B) The annexation is reasonably necessary for the orderly development of the city.

The City Council directs the City Clerk to set forth said findings in the minutes of the City Council meeting at which the annexation is approved.

**Section 5.** Pursuant to the findings of the Payette City Council, the land use classification of the lands described in Exhibit "A" annexed hereto is established as A-Residential as provided by the Zoning Ordinance of the City of Payette. The findings with respect to zoning of the lands being annexed are:

- A. The proposed zoning complies with and conforms to the Comprehensive General Plan.
- B. The proposed zoning will provide and maintain existing and future capabilities of public utilities.
- C. The proposed zoning will maintain and preserve compatibility of surrounding zoning and development.
- D. The proposed annexation incorporates the Payette water and sewer planning area.
- E. The proposed zoning and annexation honors the negotiated Area of Impact Agreement with Payette County.
- F. The proposed zoning is consistent with the Payette Comprehensive Plan.

**Section 6.** The City Clerk is hereby directed to alter all use and area maps as well as the official zoning maps,

comprehensive plan and all official maps depicting the boundaries of the City of Payette, in accordance with this ordinance.

**Section 7.** The City Clerk of the City of Payette is hereby directed to file, within (10) days after the passage and approval hereof, a certified copy of this Ordinance with the Payette County Assessor, County Recorder and County Treasurer of Payette County, Idaho, and the State Tax Commission of Idaho, and to file a copy of said legal description and map, as prepared and lodged with her by the City Engineer, with the County Assessor and County Recorder of Payette County, Idaho, and the State Tax Commission of Idaho, all as provided by Idaho Code § 50-223 and § 63-2215.

**Section 8.** This Ordinance may be published in summary form.

**Section 9.** This Ordinance shall be in full force and effect immediately upon its passage, approval and publication.

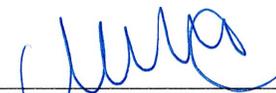
PASSED by the Council of the City of Payette, Idaho, this 5<sup>th</sup> day of August, 2019.

APPROVED by the Mayor of the City of Payette, Idaho, This 5<sup>th</sup> day of August, 2019.

APPROVED:

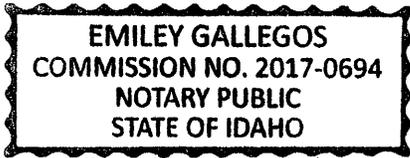
  
Jeffrey T. Williams, Mayor

ATTEST:

  
\_\_\_\_\_  
City Clerk

State of Idaho )  
 ) ss.  
County of Payette )

On this 5<sup>th</sup> day of AUGUST, in the year of 2019, personally appeared JEFFREY T. WILLIAMS, Mayor and MARY CORDOVA, City Clerk, personally known to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same on behalf of the City of Payette in their official capacities as Mayor and Deputy City Clerk.



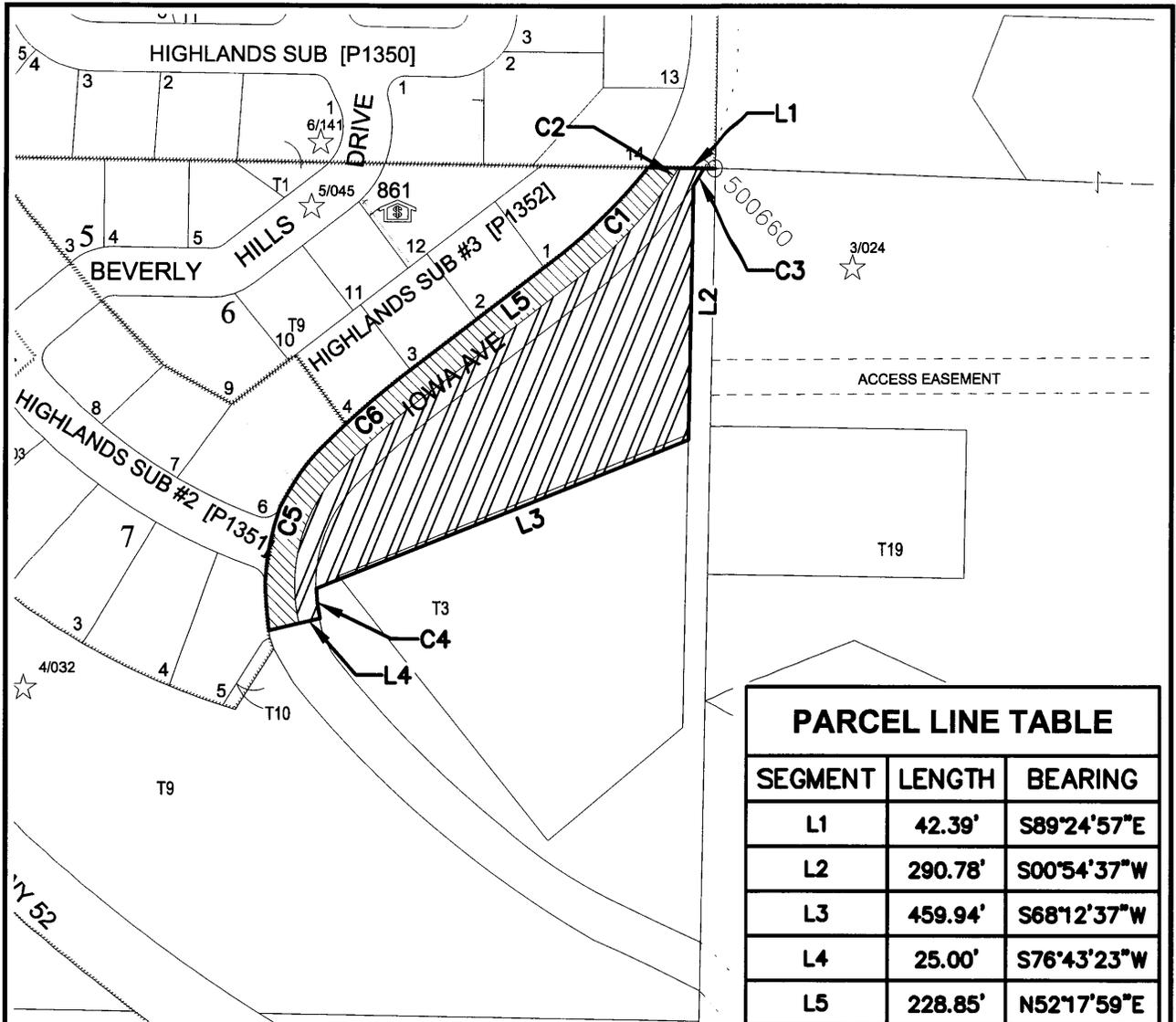
Emily S Gallegos  
Notary Public for Idaho  
Residing at: Canyon County  
Commission expires: March 22, 2021

## 422749

### EXHIBIT "A"

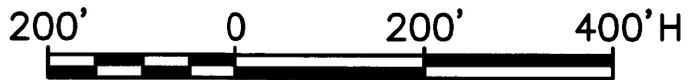
**LEGAL DESCRIPTION:** Part of Block 6 of the Recorder's Amended Westslope Plat located in the Southeast  $\frac{3}{4}$  of the Northeast  $\frac{3}{4}$  of Section 3, Township 8 North, Range 5 West of the Boise Meridian, Payette County, Idaho described as follows:

Commencing at a found Brass Cap marking the Northeast corner of Government Lot 1 in Section 3, Township 8 North, Range 5 West of the Boise Meridian, Payette County, Idaho and running thence  $S00^{\circ}54'06''W$  1052.76 feet along the East line of said Government Lot 1 to a found 5/8" rebar marking the Southeast corner of said Government Lot; thence  $N89^{\circ}24'57''W$  13.65 feet along the South line of said Government Lot 1 to a found 5/8" rebar marking a point on the East right-of-way line of South Iowa Avenue marking a point on a curve (said point being the Point of Beginning); thence Southwesterly 22.73 feet along said curve to the right (Curve data: Radius= 330.00', Delta=  $03^{\circ}56'48''$ , Chord Bearing and Distance=  $S30^{\circ}53'01''W$  22.73 feet) to a set 5/8" rebar with orange plastic cap labeled "PLS 12220"; thence  $S00^{\circ}54'37''W$  290.78 feet parallel to the East line of said Section 3 to a set 5/8" rebar with orange plastic cap labeled "PLS 12220"; thence  $S68^{\circ}12'37''W$  459.94 feet to a set 5/8" rebar with orange plastic cap labeled "PLS 12220" marking a point on the East right-of-way line of South Iowa Avenue (said point being on a curve); thence Southerly 34.52 feet along said curve to the left (Curve data: Radius= 165.00', Delta=  $11^{\circ}59'12''$ , Chord Bearing and Distance=  $S07^{\circ}17'01''E$  34.46 feet) to a found 5/8" rebar; thence  $S76^{\circ}43'23''W$  25.00 feet to the centerline of Iowa Avenue (said point being on a curve); thence along said centerline the following five (5) courses: (1) thence Northeasterly 190.66 feet along said curve to the right (Curve data: Radius= 190.00', Delta=  $57^{\circ}29'45''$ , Chord Bearing and Distance=  $N15^{\circ}28'15''E$  182.76 feet) to a point of continuous curve; (2) thence Northeasterly 120.82 feet along said curve to the right (Curve data: Radius= 870.49', Delta=  $07^{\circ}57'10''$ , Chord Bearing and Distance=  $N48^{\circ}19'25''E$  120.73 feet); (3) thence  $N52^{\circ}17'59''E$  228.85 feet to a point of curve; (4) thence Northeasterly 150.06 feet along said curve to the left (Curve data: Radius= 505.00', Delta=  $17^{\circ}01'31''$ , Chord Bearing and Distance=  $N43^{\circ}47'12''E$  149.51 feet) to a point of continuous curve; (5) thence Northeasterly 20.23 feet along said curve to the left (Curve data: Radius= 305.00~, Delta=  $03^{\circ}48'01''$ , Chord Bearing and Distance=  $N33^{\circ}22'25''E$  20.23 feet) to a point on the South line of Government Lot 1 in said Section; thence  $S89^{\circ}24'57''E$  42.39 feet along said South line to the Point of Beginning and all that portion of Iowa Avenue adjacent to the above described property.



PARCEL LINE TABLE		
SEGMENT	LENGTH	BEARING
L1	42.39'	S89°24'57"E
L2	290.78'	S00°54'37"W
L3	459.94'	S68°12'37"W
L4	25.00'	S76°43'23"W
L5	228.85'	N52°17'59"E

CURVE TABLE					
CURVE	LENGTH	RADIUS	DELTA	CHORD BEARING	CHORD LENGTH
C1	150.06'	505.00'	017.03	N43°47'12"E	149.51'
C2	20.23'	305.00'	003.80	N33°22'25"E	20.23'
C3	22.73'	330.00'	003.95	S30°53'01"W	22.73'
C4	34.52'	165.00'	011.99	S07°17'01"E	34.46'
C5	190.66'	190.00'	057.50	N15°28'15"E	182.76'
C6	120.83'	870.49'	007.95	N48°19'25"E	120.73'



**HECO ENGINEERS**  
 32 N Main Street • PO Box 235 • Payette, ID 83661  
 1079 S Ancona Ave, Suite 140 • Eagle, ID 83616  
 208.642.3304 • info@hecoengineers.com

**EXHIBIT "A"**

DRAWN BY: HECO CAD DEPARTMENT      DRAWING DATE: AUG. 2019  
 FILE LOCATION: G:\CLIENTS\CP\CP19-0031\DESIGN\CP19-0031 EXHIBIT A.DWG